

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 HAKKASAN LV, LLC, *et al.*,

11 Plaintiffs,

12 v.

13 Ben Hakim,

14 Defendant.
15

Case No. 2:13-CV-01544-KJD-PAL

ORDER

16 Presently before the Court is Defendant/Cross-claimant Ben Hakim's Objection to Hearing
17 Conducted by Magistrate Judge (#65). Presumably, based upon Hakim's sparse motion, he objects
18 to the well-qualified and diligent Magistrate Judge hearing any aspect of this case, including the pre-
19 trial motions and filings of Hakim, based on his lay misreading of Federal Rule of Civil Procedure 73
20 and 28 U.S.C. § 636. However, 28 U.S.C. § 636(b)(1)(A) clearly grants the Court authority to
21 designate magistrate judges to hear and determine any pretrial matter. The Court has done so. See
22 Local Rule IB 1-1, *et. seq.* Therefore, the Court denies Hakim's objection.

23 Hakim can rest assured that a "Federal Judge" has been assigned to his case and has been so
24 assigned since Plaintiffs originally filed it. The magistrate judge will consider and hear pre-trial
25 motions. The Court will conduct the trial and resolve dispositive motions.
26

1 Cases are decided upon the merits and not by the technicality of rules and procedure.
2 However, even *pro se* litigants are required to know and follow the United States Code, the Federal
3 Rules of Civil Procedure, and the Local Rules of Practice for the United States District Court for the
4 District of Nevada. The Court recommends that before Defendant cites part of a case, statute or rule
5 that he read the entire case, statute or rule, not just the part that supports the end he hopes to achieve.
6 *Pro se* litigants are subject to sanction, the same as parties represented by counsel, for failure to abide
7 by the rules and orders of the Court. Further, Hakim is cautioned that failure to abide by the rules
8 will result in sanction up to and including striking his answer, entry of default judgment or dismissal
9 of cross-claims if necessary.

10 **IT IS SO ORDERED.**

11 DATED this 23rd day of October 2015.

12
13 

14 _____
15 Kent J. Dawson
16 United States District Judge
17
18
19
20
21
22
23
24
25
26